

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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ANTHONY STEWART,

Plaintiff,

v.

JONAH SCHREINER, *et al.*,

Defendants.

Case No. 2:23-cv-00277-MMD-NJK

ORDER

*Pro se* Plaintiff Anthony Stewart brings a civil rights action under 42 U.S.C. § 1983 alleging several Defendants<sup>1</sup> violated his Fourth, Eighth, and Fourteenth Amendment rights. (ECF No. 9 (“Amended Complaint”).) Before the Court are the Report and Recommendations (“R&Rs”) of United States Magistrate Judge Nancy J. Koppe, screening the Amended Complaint and recommending that certain defendants be dismissed without leave to amend. (ECF No. 14, 15.<sup>2</sup>) To date, Stewart has not filed any objection to the R&Rs and the deadlines for filing objections have lapsed.

Because there is no objection, the Court need not conduct *de novo* review, and is satisfied that Judge Koppe did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”). However, the Court notes a clerical error. That is, the

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<sup>1</sup>Defendants in the First Amended Complaint (“FAC”) are the City of Las Vegas, Clark County Detention Center (“CCDC”), LVMPD Officer Nicolette Joy Hawkins, LVMPD Officer Jonah Lee Schreiner, John Doe LVMPD Intake Officer, John Doe LVMPD Corrections Sergeant at CCDC, and the State of Nevada. (ECF No. 9.)

<sup>2</sup>Both R&Rs include non-dispositive rulings, including screening of the FAC and permitting certain claims to proceed.

1 FAC does not name Las Vegas Metropolitan Police Department ("LVMPD").<sup>3</sup> The Court  
2 thus rejects the second R&R (ECF No. 15) to the extent it recommends dismissal of  
3 LVMPD. The Court otherwise adopts the R&Rs.


4 It is therefore ordered that Judge Koppe's R&R (ECF No. 14) is accepted and  
5 adopted in full.

6 It is further ordered that Judge Koppe's second R&R (ECF No. 15) is accepted and  
7 adopted, except for the recommendation as to dismissal of LVMPD. Because LVMPD is  
8 not named in the FAC, the Court rejects the recommendation to dismiss LVMPD with  
9 prejudice. The Court further directs the Clerk's Office to correct the docket sheet to reflect  
10 that LVMPD is no longer a named defendant.

11 It is further ordered that all claims against Defendants the State of Nevada and  
12 Clark County Detention Center are dismissed with prejudice.

13 It is further ordered that all claims against the City of Las Vegas and Sergeant John  
14 Doe are dismissed without prejudice.

15 DATED THIS 5<sup>th</sup> Day of September 2024.

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19 MIRANDA M. DU  
20 CHIEF UNITED STATES DISTRICT JUDGE  
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<sup>3</sup>LVMPD was a named defendant in the original complaint. (ECF No. 1-1.)